

YOUTHS' MAIL

- AUTHORITY:** Administrative Directive California Code of Regulations, Title 15, Section 1375
- RESCINDS:** Procedure Manual Item 3-1-024, dated 12/11/20
- FORMS:**
- | | |
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| Notice of Monitored Mail Status | (F057-6011) |
| Notice of Rejection of Incoming Mail | (F057-6012) |
| Notice of Correspondence Rejection (Sending Party) | Attachment A |
| Notice of Correspondence Rejection (Youth) | Attachment B |
- PURPOSE:** To establish a standardized method of processing youths' mail.

I. GENERAL INFORMATION

- A. Per Section 1375 of Title 15, the facility administrator shall develop and implement written policies and procedures for correspondence.**
- B. Youth in juvenile facilities should be encouraged to maintain ties with their families and the community by sending and receiving mail. Further, they have the right to exchange confidential information with their legal representatives, public officials, clergy, and the judiciary via privileged mail.
- C. All youth will be advised of the mail procedure during orientation or no more than 24 hours from the time of intake. Mail is defined as letters and packages. Staff will wear protective gloves when opening incoming mail or packages. Packages will be opened and inspected for contraband **BEFORE** being delivered to **facility living units**.
- D. All envelopes and items included therein shall be scanned via the mail screening device.**
- E. Privileged/confidential mail (**hereinafter "legal mail"**) is defined as letters to and from a local state, or federal courts **or agencies**, an attorney, any member of the State Bar or holder of public office, and the Board **of State and Community Corrections (BSCC)**, officials of the confining and releasing authority, Clergy, Deputy Probation Officer(s) or Division of Juvenile Justice (DJJ) Parole Officer(s).
- F. Mail will be distributed to youth daily and logged in the unit logbook (**ICMS-Institutional Case Management System**) at the time of distribution. If the distribution is withheld or delayed for any reason, this will also be logged in **ICMS** and approved by an SJCO.
- G. Withholding of mail is defined as not delivering all or part of the mail to the youth. Decisions to withhold mail will be made by the unit SJCO or **Duty Officer**. Mail that is withheld will be handled in one of three ways:

1. **If the mail or items therein are hazardous or could impact facility safety and security, it shall be forwarded to the Orange County Sheriff's Department for testing and confirmation. Once tested, any dangerous materials or contraband shall be marked for destruction.**
 2. **If the mail is deemed inappropriate for youth (such as pornography), it shall be returned to the sender.**
 3. All illegal material(s) that could implicate anyone in illegal activities will be treated as evidence **per department policy and shall be referred for further investigation by the appropriate law enforcement agency.**
- H. Contraband is described as:
1. Any object or substance, the possession of which would constitute a crime under the laws of California (e.g., drugs).
 2. Any object or substance which would pose a danger within the facility (e.g., weapons).
 3. Any object or substance which would interfere with the day-to-day operation of the program (e.g., pornography, magazines inciting violence, etc.).
 4. Pictures or reading material depicting gang-related activities or gang ideation (Hand signs, colors, graffiti on walls, indicia, buttons, badges, or articles of clothing) which identify gang behaviors.
 5. When a youth is sent material not prohibited by law but considered contraband by the facility, the material **shall** be returned to the sender or placed in the youth's property and given to the youth upon release. In either event, the youth must be informed the material is considered contraband and will not be allowed in the facility.
- I. Mail returned to sender will simply be marked "RETURN TO SENDER." If it has been opened, the mail, in its original envelope, will be placed in a larger envelope that will be sealed before it is placed in the mail.
- J. A youth will be permitted to send and receive unlimited letters each week. Seven outgoing letters will be posted at County's expense. Additionally, all privileged mail will be at the County's expense.
- K. No outgoing or incoming mail will be read unless the youth is on monitored mail status.
- L. All incoming mail, **except legal mail**, will be opened, **electronically scanned**, and inspected for contraband. Mail shall not be read by staff.
- M. All outgoing mail will be given to staff for mailing. Mail shall not be read by staff. Staff are to initial **the** top right corner of the envelope.
- N. Inspection of mail shall not result in the withholding of mail from a youth, or the post office, for a period **over** 24 hours unless the mail fits within the descriptions cited in

F.1-3 (except legal holidays and weekends). If mail is withheld, the youth will be notified via the appropriate form(s).

- O. The decision to place a youth on monitored mail status will be made only **ensuring** safe and orderly operation of the facility and **protecting the** youth and staff. Please refer to PMI 3-1-040 **regarding** the process and procedure for Monitored Mail Status.

II. PROCEDURE

A. Institutional Security Unit (ISU) graveyard staff will retrieve the mail from reception.

1. **Before the electronic scan, ISU will log in to the system, and a test will be completed to ensure accuracy.**
2. **ISU will ensure all bulbs are working correctly.**
3. **ISU will [REDACTED]**
4. **Staff will place mail content(s) and envelope (one at a time) on the screen, then initiate an electronic scan. If the scan results are negative, staff shall return the mail to the envelope, then to the unit for distribution in the morning. [REDACTED]**
5. **[REDACTED]**
6. **[REDACTED].**
7. **DO NOT read the mail.**

B. Unit staff will:

1. Ensure persons to whom the youth writes or from whom the youth receives letters have not been officially restricted from communication by Court Order or are not in a correctional facility.
2. Ensure all mail is delivered to the youth or the post office within 24 hours, excluding weekends and holidays and logged in the unit logbook (**ICMS**) when distributed. Night staff will document the names and addresses of all incoming mail in the youth's institutional file, using the incoming/outgoing mail form. Night staff will initial each item of mail to indicate mail has been processed and recorded. Day staff **shall** distribute processed mail each day by noon. **Mail shall not be** withheld as a means of discipline.

3. Complete a **SIR** when information **justifies** placing the youth on monitored mail status. Submit the **SIR**, with any mail, or other pertinent documents, to the unit SJCO.
 4. Ensure no mail is read unless it has been previously documented in the youth's folder via Form F057-6011, SJCO authorization has been obtained, **and** the youth has been informed and has chosen to have the mail read rather than returned to sender.
 5. All mail **shall** be opened in front of the youth during mail distribution.
 6. Ensure all outgoing mail is properly sealed by the youth and addressed, including the return address of the youth. Day staff **shall** inspect, initial and place outgoing mail in a designated location at each facility/unit. Night staff **shall** document the names and addresses of all outgoing mail in the youth's institutional file and place it in the designated location for outgoing mail.
- C. Mail with any of the characteristics cited in Section I. G. (1-5) of this policy, shall be withheld. Withheld incoming mail shall be returned to the sender. Withheld outgoing mail shall be returned to the youth.**

When mail is withheld, both the sender and the youth shall be promptly notified via the Notice of Correspondence Rejection form (attachment). This form shall include an explanation of the basis for the decision and a notification of the appeal process. The names of the youth and sender shall appear on the forms. The youth shall sign this form acknowledging their mail is being withheld. All correspondence rejections sent shall be documented in the ICMS and that the form was given to the youth.

The author of withheld correspondence shall be notified of the right to appeal the decision to the facility manager(s). The decision to withhold mail may be grieved by the youth pursuant to Juvenile Facility Services Policy: Grievance Procedure.

REFERENCES:

Procedures	3-7-003	Disposition of Contraband
	3-11-001	Youth's Facility Folders
	3-10-006	Residents' Grievance Procedure
	3-5-004	Youths' Rights/Orientation
	3-9-005	Attorney Contact with Incarcerated Youth
	3-9-004	Monitored Mail and Monitored Telephone Status
	3-9-002	Pictures and Reading Material
3-10-001	Disciplinary Due Process	
Policies	A-1	Policy, Procedure and the Law
	F-7	Personal Property of Minors in Juvenile Institutions

Attachments

K. Carvo

APPROVED BY:



ORANGE COUNTY PROBATION DEPARTMENT

NOTICE OF CORRESPONDENCE REJECTION (Youth)

Juvenile Hall Youth Guidance Center Youth Leadership Academy

TO: _____

Your correspondence from _____ dated _____ was found to be unacceptable because _____

If you believe that this rejection was improper, you have the right to appeal this decision to the Facility Manager by filling out a grievance form.

I have Received this notice:

Signature of Youth

Date

I have notified the youth:

SJCO Signature

Date

Youth refused to sign but was notified on this date:

SJCO Signature

Date